

This MOU may be modified by formal written notice from either party if there is joint agreement as evidenced by the signatures of responsible officials representing both parties. Any amendments are effective as of the date of the final signature.

#### 10.4.3. Termination.

This MOU may be terminated upon notification by either ATSDR or DoD to the other party. A minimum of ninety (90) days advance written notice of termination is required.

#### 10.5. Dispute Resolution.

The Parties of this Agreement shall make reasonable efforts to informally resolve disputes over the scope of services performed under this Agreement, technical sufficiency of reports produced, and any other issues that lead to or generate a dispute. The dispute resolution process will initially include discussions between DoD and ATSDR staffs directly involved in the conduct of activities and their immediate supervisors. If resolution is not reached, the dispute may be elevated by either party to the DoD Components' liaison officer, the DoD Lead Agent (Attachment A), and ATSDR's Senior Program Manager for Federal Programs. If the parties are unable to reach resolution, the dispute may be elevated to the DoD Components' Secretariat and the ATSDR Deputy Director for Management. If resolution is not reached, the matter may be referred by the DoD Component, in writing, to the DUSD (IE) or may be referred by ATSDR staff to the Director ATSDR for resolution.

#### 10.6. Litigation.

The DoD and ATSDR agree to coordinate litigation-sensitive information and actions through their respective offices of General Counsel.

### 11. RESPONSIBLE OFFICIALS

#### DEPARTMENT OF DEFENSE

By: Alex A. Beehler  
Mr. Alex A. Beehler  
Assistant Deputy Under Secretary  
of Defense (Environment Safety and  
Occupational Health)

Date: 11/22/04

#### AGENCY FOR TOXIC SUBSTANCES AND DISEASE RESGISTRY

By: Henry Falk  
Henry Falk, M.D. M.P.H.  
Director, National Center for  
Environmental Health and  
Agency for Toxic Substances  
and Disease Registry

Date: 11/22/04